

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 19-46846

DAWN DOCHERTY,

Chapter 13

Debtor.

Judge Thomas J. Tucker

**ORDER DENYING, WITHOUT PREJUDICE, CREDITOR JAMES TUCKER'S
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

This case is before the Court on creditor James Tucker's motion entitled "Motion to Lift Automatic Stay for Creditor James Tucker," filed on July 29, 2019 (Docket # 24, the "Motion"). On August 19, 2019, the moving creditor filed a Certificate of Non-Response, indicating that no one had filed an objection to the Motion (Docket # 25). The Court will deny the Motion because of the deficiencies described below.

First, the Motion fails to provide sufficient details regarding the lease referred to in the Motion and the property affected by the lease.

Second, the proposed order filed with the Motion (1) lacks sufficient detail regarding the lease referred to in the Motion and the property affected by the lease; and (2) fails to state what action(s) by the moving creditor are to be permitted by the stay relief requested.

Third, contrary to the creditor's statement in the Motion, the Debtor's Chapter 13 plan filed in this case (Docket # 2) does not say that any lease is being terminated, and in fact says nothing about any lease with this moving creditor at all.

For all of these reasons,

IT IS ORDERED that the Motion (Docket # 24) is denied, without prejudice to the moving creditor's right to file a new motion for relief from the automatic stay which does not have any of the problems described in this Order.

Signed on September 10, 2019



/s/ **Thomas J. Tucker**

Thomas J. Tucker
United States Bankruptcy Judge